IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLN.NO.587 OF 2007

Sachin Dharmaraj Jugdar
@ Jugraj ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.Vikas Shivarkar and Vipin Bidkar advocate for applicant
Mr.V.B.Konde-Deshmukh A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 25, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.203 of 2006 of Chatushringi Police Station. The said case is mainly under Section 363 of IPC.

3. It is the prosecution case that the applicant is involved in the kidnapping of Onkar the minor son of the complainant Dileep Kale on 9.5.2006 at 11.30 a.m. Onkar was two and half years old at the time of incident. Witness Baliram has stated that he knew the present applicant. Baliram has stated

that on 9.5.2006 at about 12.30 p.m. the present applicant came to him with a small boy. The applicant informed him that the boy belongs to his cousin and as there was fight between his cousin and wife, he has brought the minor boy with him. Thereafter, the applicant kept the boy in the said room and went away. The boy was in the room even on 10.5.2006 in the morning. The minor boy had started crying incessantly, however, Sachin had gone out. Hence, Baliram took the small boy and went outside. The said small boy was the son of the complainant. So also another witness i.e. Raju Choudhary also states that Sachin had got a minor boy and asked him whether he would keep the boy in his room. However, this witness declined to do so as he had to go out for his duty. This witness has stated that the said minor boy brought by Sachin, was Onkar i.e. the boy who was kidnapped. The statements of these two witnesses clearly implicate the present applicant in a case of kidnapping. Hence, I do not think that this is a fit case to grant bail.

4. Application is rejected.

[Smt.V.K.Tahilramani, J.]